

REMARKS

The present communication responds to the Office communication of February 27, 2007 in which the Examiner subjected claims 1-10 to a restriction requirement.

Claims 1-2 are pending in the application. Claims 3-10 have been cancelled. No new subject matter has been added to the claims.

Restriction and Election of Claims

In the outstanding Office Action, seven groups were identified:

- Group 1. Claims 1 and 2, drawn to an isolated human CT120 protein polypeptide comprising the amino acid sequence of SEQ ID NO: 2, or its conservative variant polypeptide, active fragment or active derivative;
- Group 2. Claims 3-7 and 10 (in part), drawn to an isolated polynucleotide comprising a nucleic acid sequence selected from the following group: (a) polynucleotides encoding the polypeptide according to claims 1 and 2; (b) polynucleotides which are complementary to polynucleotides (a) and a kit for detecting pulmonary cancer, which comprises primers which specifically amplify human CT120 gene;
- Group 3. Claims 8 and 10 (in part), drawn to an antibody specifically binding with the human CT120 of claim 1 and a kit for detecting pulmonary cancer, which comprises antibody specifically binding with CT120 protein.;
- Group 4. Claim 9, drawn to a method for detecting the carcinomatous change in pneumonocytes, comprising the steps of: detecting whether there is any CT120 transcript in the pneumonocyte sample, the presence of CT120 transcript indicating that said pneumonocyte undergoes carcinomatous change;
- Group 5. Claim 9, drawn to a method for detecting the susceptibility for carcinomatous change in pneumonocytes, comprising the steps of: detecting whether there is any CT120 transcript in the pneumonocyte sample, the presence of CT120 transcript indicating that said pneumonocyte has the susceptibility for carcinomatous change.

- Group 6. Claim 9, drawn to a method for detecting the carcinomatous change in pneumonocytes, comprising the steps of: detecting whether there is CT120 protein in the pneumonocyte sample, the presence of CT120 protein indicating that said pneumonocyte undergoes carcinomatous change; and
- Group 7. Claim 9, drawn to a method for detecting the susceptibility for carcinomatous change in pneumonocytes, comprising the steps of: detecting whether there is CT120 protein in the pneumonocyte sample, the presence of CT120 protein indicating that said pneumonocyte has the susceptibility for carcinomatous change.

Applicants hereby elect Group 1, claims 1 and 2 *without traverse*.

Conclusion

This response is being submitted on or before March 29, 2007 making this a timely response. It is believe that no additional fees are due in connection with this filing. However, the Commissioner is authorized to charge any additional fees, including extension fees or other relief which may be required, or credit any overpayment, to Deposit Account No. 04-1420.

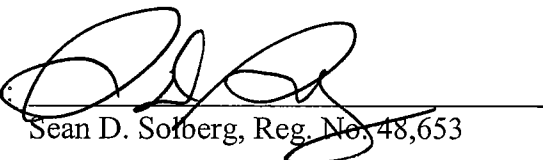
It is respectfully submitted that claims 1-2 are in condition for allowance. A Notice of Allowance is respectfully requested.

If a telephone conference would be helpful in resolving any remaining issues, please contact the undersigned at 612-340-7862.

Respectfully submitted,

DORSEY & WHITNEY LLP
Customer Number 25763

Date: March 28, 2007

By: 
Sean D. Solberg, Reg. No. 48,653